

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, December 7, 2004, the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner (via telephone)
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE

Dave Burchett, Utility Division

(259) In the matter of MDU Resources Group, Inc. - D2004.11.190: On November 19, 2004, MDU applied for authority to issue over a two-year period \$125,000,000 of short-term indebtedness in the form of unsecured promissory notes representing bank borrowings ("Notes") and/or in the form of commercial paper ("Commercial Paper"). The authority is requested to be effective from January 1, 2005 through December 31, 2006. The proceeds of these issuances will be used for funding the Company's capital requirements, for the refunding of its outstanding obligations, for corporate development including the acquisition of businesses or business assets and for other general corporate purposes. A default order has been drafted.

Commissioner Jergeson moved to approve the authority request as stated above. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Utility Division

(260) In the matter of Qwest Communications - Docket N2004.11.189: On November 18, 2004 Qwest filed Tariff Transmittal 04-18 SwitchNet 56® (SN56). This filing revises the existing December 31, 2004 sunset date for Qwest SN56 product so a customer's final service date is directly associated with the availability of comparable replacement. This filing has no rate or revenue impacts for customers or Qwest. Qwest is requesting a December 20, 2004 effective date.

Commissioner Stovall moved to approve Qwest's Tariff Transmittal 04-18 as stated above. Commissioner Jergeson seconded the motion, which passed unanimously.

(261) In the matter of Central Montana Communications, Inc. - Docket N2004.11.191: On November 22, 2004, Central Montana Communications (CMC) filed modification to its tariffs. In this filing CMC is requesting changes to 1) Local Network Access Line Service, 2) Construction-Placement of Buried Facilities where a joint trench is available, and 3) Community Emergency Services.

Commissioner Schneider moved to approve the modification as stated above. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(262) In the matter of T-04.56.ST: On October 25, 2004 Treasure State Transit, Inc. dba Limousines of Helena, Inc., Helena, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 9020, to Queen City Limousine, Inc., Helena, Montana. This transfer was noticed to the public on November 5, 2004 and no protests were received.

Commissioner Schneider moved to approve the transfer of PSC No. 9020 as stated above. Commissioner Jergeson seconded the motion, which passed unanimously.

(263) In the matter of the approval of Commission Minutes:

Commissioner Stovall moved to approve the Commission Minutes for the week of November 29, 2004. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Utility Division
Martin Jacobson, Legal Division

(264) In the matter of the Commission's discussion of Lincoln Telephone Company EAS - Docket No. D2003.6.84:

Commissioner Schneider moved to issue the draft final order as a final order with the discussed modifications and the Conclusions of Law being relabeled as Commission Analysis. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Legal Division
Phil Cooke & Lori Sandru, Utility Division

(265) In the matter of the Commission's discussion of Yellow-Page.Net:

Commissioner Brainard moved to file a notice of complaint against Yellow-Page.Net. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(266) In the matter of the Commission's discussion of staff travel:

Commissioner Stovall moved to approve Marla Larson's trip to Portland Dec. 8-9 for a meeting of the Grid West Regional Representatives Group (RRG) on Dec. 9. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(267) In the matter of the Commission's discussion of Havre Pipeline Co. Application to Increase Rates & Charges to Direct Rural Farmstead Customers - Docket No. D2004.8.128:

Commissioner Jergeson moved to direct staff to draft a final order approving the Havre Pipeline increase. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel & Robin McHugh
Legal Division

(268) In the matter of the Commission's discussion of District Court litigation - Cause No. CDV 2003-464:

Commissioner Schneider moved to authorize the appeal of District Court Cause No. CDV 2003-464. Commissioner Brainard seconded the motion, which passed 4 to 0. Commissioner Rowe abstained.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)